

REMARKS

This Amendment is being filed in response to the Office Action mailed November 11, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the claims have been amended for better conformance to U.S. practice, such as beginning the dependent claims with 'The' instead of 'A', and changing "characterized in that" to --wherein--. The claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claim 7 is rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description. Without agreeing with the Examiner, and to advance prosecution and expedite allowance of the present application, claim 7 has been canceled without prejudice.

In the Office Action, claims 10 and 12 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by article by Ohnseda et al.

entitled "Synthesis and Electronic Properties of Methacrylate Copolymers Containing Pendant Terthiophene and Oligo (ethyleneoxide) Moieties" (Ohsedo). Further, claims 1-4 and 6-8 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,949,762 (Ong) view of Ohseda. Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ong and Ohsedo in view of U.S. Patent No. 6,563,132 (Talroze). It is respectfully submitted that claims 1-6, 8, 10 and 12 are allowable over Ong, Ohsedo and Talroze for at least the following reasons.

Ohseda is directed to polymers that undergo color change and thus are used as electrochromic material. In particular, the Ohseda polymers are doped with ClO_4^- as a dopant. The Ohseda polymers exhibit reversible color changes from yellow to purple based on electrochemical doping and undoping.

In rejecting claim 8 on page 5, first full paragraph of the Office Action, column 22, lines 53-60 of Ong is cited. Ong is directed to oxidation resistant polythiophenes that are used as a protection layer for an electronic device, shown as layers 12, 32, 52 and 74 in FIG 1-4. The Ong polythiophenes are different from the active material recited in independent claims 1, 10 and 12.

Further, it is respectfully submitted that there is no motivation or suggestion to combine Ohsedo with Ong, since Ohsedo is related to a polymer having electrochromic properties without any concern related to oxidation protection; while Ong is unrelated to electrochromic material, and is concerned with having a protection layer resistant to oxidation. Such a combination can only be arrived using impermissible hindsight.

It is respectfully submitted that without utilizing the teachings of the present application as a road map and hindsight reasoning, a person skilled in the art could not, in an obvious manner, arrive at the present invention as recited in independent claims 1, 10 and 12.

Further, it is respectfully submitted that Ong, Ohsedo and combination thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 10 and 12 which, amongst other patentable features, requires (illustrative emphasis provided):

wherein the active layer comprises an intrinsic, undoped semiconductive material.

This feature is nowhere taught or suggested in Ong and Ohseda, alone or in combination. Talroze is cited to allegedly show other

features and does not remedy the deficiencies in Ong and Ohnseda.

Accordingly, it is respectfully submitted that independent claims 1, 10 and 12 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6 and 8 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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